

(RSTT/5-

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ITW Tech Spray, L.L.C.,

Plaintiff,

v.

Tech Spray Management Company, L.L.C.,
Richard Russell and Rita Russell,

Defendants.

ECF Case

07 Civ. 6676 (JAC)

STIPULATION OF DISMISSAL

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DATE FILED: JUL 21 2008

STIPULATION OF DISMISSAL PURSUANT TO RULE 41(a)

Pursuant to Federal Rule of Civil Procedure 41(a), and the parties' confidential settlement agreement, Plaintiff ITW Tech Spray, L.L.C. and Defendants Tech Spray Management Company, L.L.C., Richard Russell and Rita Russell stipulate to the dismissal of this action with prejudice, with each party to bear its own attorneys' fees and costs, except that: 1) this Court shall retain jurisdiction of the parties and this action to enforce the terms of settlement and 2) the environmental permitting matter identified in the action may be re-filed pursuant to the terms of the settlement agreement only. The Clerk of Court is directed to close out this case.

Respectfully submitted,

ITW TECH SPRAY, L.L.C

By: 

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Respectfully submitted,

TECH SPRAY MANAGEMENT COMPANY,
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SO ORDERED: JUL 21 2008


U.S.D.J. 